

**VIRGINIA:**

**IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE**

<b>COMMONWEALTH OF VIRGINIA</b>	)	<b>CASE NOS. CR03-3089, CR03-3090, CR03-3091</b>
<b>VERSUS</b>	)	
<b>LEE BOYD MALVO a/k/a</b>	)	<b>INDICTMENT - CAPITAL MURDER (2</b>
<b>John Lee Malvo</b>	)	<b>Counts) and USING A FIREARM IN THE</b>
		<b>COMMISSION OF A FELONY</b>

**JURY TRIAL – Day 20**

On December 11, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, and Michael Arif and Craig Cooley, co-counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

The Jury was recalled and heard more of the evidence presented on behalf of the Defendant.

The Court, being of the opinion that this case could not be completed today, admonished the jurors as to their behavior during the recess and continued this case to December 15, 2003, at 10:00 a.m.

Counsel for the Defendant moved the court to admit party admissions made in the case of Commonwealth of Virginia versus John Allen Muhammad. The Court after hearing argument of Counsel denied the motion.

The Defendant was remanded to the custody of the Sheriff.

Entered on December 11, 2003.

131  
\_\_\_\_\_  
JANE MARUM ROUSH  
JUDGE DESIGNATE